

MAY 12, 2016

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 12, 2016, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Councilmember David M. Smith
Councilmember Thomas Hally
Councilmember John B. Radford
Councilmember Michelle Ziel-Dingman
Councilmember Barbara Ehardt
Councilmember Ed Marohn

Absent:

Mayor Rebecca L. Noah Casper

Also present:

Randy Fife, City Attorney
Kathy Hampton, City Clerk
All available Department Directors

Mayor Pro Tem Hally invited Brandon Collette, Boy Scout Troop #342, to come forward and lead those present in the Pledge of Allegiance.

Mayor Pro Tem Hally requested any public comment not related to items on the agenda. No one appeared.

Consent Agenda Items:

The City Clerk requested approval of minutes from the April 25, 2016, Council Work Session and April 28, 2016, Council Meeting.

The City Clerk requested approval of the Expenditure Summary for the month of April, 2016.

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$1,222,548.56
Street Fund	15,016.13
Recreation Fund	25,973.11
Library Fund	130,172.75
Municipal Equipment Replacement Fund (MERF)	269,717.34
Electric Light Public Purpose Fund	65,858.43
Golf Fund	159,604.31
Self-Insurance Fund	57,689.33
Municipal Capital Improvement Fund	11,100.08
Street Capital Improvement Fund	19,862.27
Traffic Light Capital Improvement Fund	13,359.17
Parks Capital Improvement Fund	657.54
Airport Fund	204,025.15
Water and Sewer Fund	225,146.14
Sanitation Fund	2,706.40
Ambulance Fund	212,845.74
Electric Light Fund	3,486,086.47

MAY 12, 2016

Payroll Liability Fund	2,643,963.98
TOTAL	8,766,332.90

The City Clerk requested approval of the Treasurer's Report for the month of April, 2016.

The City Clerk requested approval of license applications, all carrying the required approvals.

It was moved by Councilmember Marohn, seconded by Councilmember Smtih, to approve all items on the Consent Agenda according to recommendations presented. Roll call as follows: Aye – Councilmembers Dingman, Smith, Marohn, Ehardt, Hally, Radford. Nay – none. Motion carried.

Regular Agenda Items:

The Idaho Falls Police Department submitted the following item for Council consideration:

Subject: Amendment to Traffic Safety Ordinance

Staff members have made recommendations to improve the efficiency of the Traffic Safety Committee. With staff recommendation an amendment to the City Ordinance, Title 2, Chapter 8, has been drafted by the City Attorney.

Councilmember Dingman stated amendments will include any recommendations be reported to the Director of Public Works, the number of voting members determined, and establishing term limits for committee members.

It was moved by Councilmember Dingman, seconded by Councilmember Marohn, to approve the amended Traffic Safety Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

At the request of Mayor Pro Tem Hally, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3069

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 2, CHAPTER 8, CLARIFYING TRAFFIC SAFETY ADVISORY COMMITTEE MEMBERSHIP, TERMS OF OFFICE, PURPOSE, DUTIES, AND CONSTITUENCY; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Public Works Department submitted the following items for Council consideration:

Subject: Bid Award – Water Line Replacement – 2016

On May 3, 2016, bids were received and opened for the Water Line Replacement - 2016 project. A tabulation of bid results is below.

Bidder	Engineer's Estimate	HK Contractors, Inc.
Total Bid Base Schedule	\$1,390,033.00	\$1,777,843.50
Total Alternative Bid Schedule No. 1	\$327,447.00	\$349,537.50
Total Combined Bid Schedule with Alternate No. 1	\$1,717,480.00	\$2,127,381.00

MAY 12, 2016

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, HK Contractors, Inc., for the base bid and bid alternate in an amount of \$2,127,381.00.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to approve of the plans and specifications and award to the lowest responsive, responsible bidder, HK Contractors, Inc., an amount of \$2,127,381.00, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Marohn, Radford, Dingman, Smith, Ehardt. Nay – none. Motion carried.

Subject: Bid Award – Ryder Park Pump Station

On May 5, 2016, bids were received and opened for the Ryder Park Pump Station project. A tabulation of bid results is below.

Bidder	Engineer's Estimate	3H Construction, LLC	Knife River Corporation- Northwest	MD Nursery & Landscaping
Total	\$144,900.00	\$152,638.40	\$187,800.00	\$217,890.00

Public Works Director Chris Fredericksen stated this project will allow water to be drawn from the Snake River for Ryder Park. The pump will save approximately two (2) million gallons of potable water each month which is currently being pumped into the pond. He indicated the water being pumped from the river is considered a non-consumptive source and will flow back into the ground and/or the river. Director Fredericksen stated Idaho Falls Power also has a cost associated with this project with an estimated amount of \$58,000.00.

It was moved by Councilmember Ehardt, seconded by Councilmember Radford, to approve of the plans and specifications and award to the lowest responsive, responsible bidder, 3H Construction, LLC, an amount of \$152,638.40, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Ehardt, Radford, Smith, Marohn, Dingman, Hally. Nay – none. Motion carried.

Subject: Resolution to Order the Condemnation of Property for a Funded and Approved Public Right-of-Way Project

The City has received Federal funding for the expansion of Grandview Drive between Skyline Drive and Saturn Avenue. This project is designed to better serve the traveling public as the Idaho Falls Airport expands services, to improve the public safety for pedestrians and automobiles, and to provide an integral physical and economic link between the Arco Highway, Interstate 15, and the U.S. Route 20 interchange across the northwest part of the City. The City has completed the design and environmental assessments for the project and the project is out to bid. The City will review bids to construct this project on May 24, 2016. Construction is expected to begin on July 9, 2016. The City has successfully acquired all but one of the properties necessary for this project. The City has made numerous attempts to acquire the last parcel by making a fair-market offer (which was supported by an appraisal conducted by a licensed real property appraiser). Efforts to enter into negotiations to purchase the property have been unsuccessful. Because the project's funding is contingent on starting construction of the project as scheduled, it is recommended that the City exercise its eminent domain authority.

Director Fredericksen stated this project is in conjunction with a City project for water line replacement. The expansion will allow for five (5) lanes of traffic as well as a 12-foot wide pedestrian walkway on the south side of Grandview. He indicated staff has provided numerous offers to the current property owner, all unsuccessful, for the 2200 square feet of the right-of-way property required for a right turn lane from Skyline Drive onto Grandview Drive towards US 20 and Interstate 15. The proposed resolution would allow the legal authority to proceed with condemnation of property. After brief discussion, it was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to adopt the Resolution to condemn the property necessary to complete the Grandview

MAY 12, 2016

Drive expansion project, and give authorization for the Mayor to sign the necessary documents. Roll call as follows: Aye – Councilmembers Radford, Ehardt, Hally, Smith, Marohn, Dingman. Nay – none. Motion carried.

RESOLUTION 2016-16

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ORDERING THE CONDEMNATION OF PROPERTY FOR A FUNDED AND APPROVED PUBLIC RIGHT OF WAY PROJECT; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Municipal Services submitted the following item for Council consideration:

Subject: Civic Auditorium Professional Services Agreement

For review is a professional services agreement between the City of Idaho Falls and Idaho Falls Arts Council. This agreement outlines the scope of work for the Idaho Falls Arts Council to provide event management, marketing, and execution of professional services for the Civic Auditorium. This agreement would begin July 1, 2016. Funding for the professional services agreement, in the amount of \$65,000, is within the 2015/16 Municipal Services Department, Civic Auditorium budget and will be included in the 2016/17 budget.

Councilmember Marohn stated the City has owned the Civic Auditorium since 1950 and believes the facility has become an important asset of the community. This agreement will allow professional administration to assist with additional marketing and event planning.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to approve the Civic Auditorium Professional Services Agreement and give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

Idaho Falls Power submitted the following item for Council consideration:

Subject: Collective Bargaining Agreement with International Brotherhood of Electrical Workers (IBEW) Local 57

For your consideration is the Collective Bargaining Agreement between the City of Idaho Falls and the International Brotherhood of Electrical Workers Local 57, and the summary of negotiations as agreed upon with the Union. The agreement has been negotiated in good faith with Union leadership.

Councilmember Smith stated this contract includes a 2.4% overall increase of compensation of benefits.

It was moved by Councilmember Smith, seconded by Councilmember Hally, to approve the Collective Bargaining Agreement between the City of Idaho Falls and the International Brotherhood of Electrical Workers Local 57, and authorize the Mayor to sign the necessary documents. Roll call as follows: Aye – Councilmembers Ehardt, Marohn, Hally, Radford, Smith, Dingman. Nay – none. Motion carried.

Community Development Services Department submitted the following items for Council consideration:

Subject: Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) – 2015

MAY 12, 2016

As part of the CDBG reporting requirements, the CAPER for 2015 is due to the U.S. Department of Housing and Urban Development (HUD) on June 30, 2016. Approval of the CAPER requires a public hearing, a 15-day public comment period, and approval of a resolution. The public hearing is scheduled for May 12, 2016. The comment period will begin on May 13, 2016, and will end on May 27, 2016. Staff will request Council approval of the resolution at the June 9, 2016, Council Meeting.

Mayor Pro Tem Hally opened the public hearing and stated all staff reports and presentations be entered into the record.

Lisa Farris, Grant Administrator, appeared with the following presentation:

Slide 1: CDBG Basics – Criteria for Projects/Activities

Must meet 1 of 3 National Objectives (HUD):

- Benefit Low to Moderate Income Person

Idaho Falls family of 4 making less than \$48,250 (FY2015 HUD Income Limit)

- Prevent/Eliminate conditions of Slum and Blight

- Meet an Urgent Need

Must be a HUD Eligible Activity:

- Construction of Public Infrastructure

- Handicapped Access to Public Facilities

- Housing Rehab, Social Services, Business Rehab

- Acquisition, Clearance, and Disposition of Property

- Relocation Costs, Economic Development, Job Creation or Training

Additional Criteria

- Projects must meet the goals of City's 2011-15 Five Year Consolidated Plan

- Selected for the Annual Action Plan

Slide 2: Project/Activity must fit into 1 of 4 Priorities defined by HUD

Community Development Priority – Neighborhood revitalization activities that promote public health, safety and welfare.

Economic Development Priority – Improve economic conditions throughout the community, principally for Low to Moderate Income (LMI) persons.

Housing Development Priority – Encourage development of new, affordable single-, multi-family, and special needs housing through private developers and non-profits.

Public Service Priority – Encourage partnerships with social service providers, faith-based groups, private businesses, school districts, non-profit agencies, and community leaders to meet the needs of families in poverty.

Slide 3: Making a Difference with FY2015 CDBG Funds Projects/Activities completed (includes Administration and Public Services)

Code Enforcement (6) Neighborhood Cleanups in (2) LMI Census Tract neighborhoods and one large coordinated effort to Whittier property

IFDDC- (5) Façades Idaho Mountain Trading - Façade rehab to west entryway Farmers Merchant Bank Building - Exterior paint and awnings

MAY 12, 2016

	Romaine's - Awning removed, east windows and doors replaced
	Shadow Domain - Exterior sign
Public Works	(21) LMI properties improved with sidewalk/curb/gutter in CT 9707
Public Works	(1) Water line replacement for LMI client in CT 9707
LIFE, Inc. (Initiated)	(3) ADA housing rehab projects for LMI clients with a disability
CLUB, Inc.	(86) Assists with Case Management/services for homelessness
Senior Center	Kitchen swamp cooler/window replaced, repairs to ADA (Americans with Disabilities Act) ramp
Hospice of E. ID	2 furnaces and air conditioner units replaced
Behavioral Health Crisis Center	Rehab to exterior sign
EICAP- GRG	29 grandparents, raising grandchildren, received legal aid
BMPO/SR2S	(6) LMI area schools/neighborhoods received education/encouragement
Idaho Legal Aid	(29) Victims of domestic violence received legal aid assistance
Fair Housing	Workshop in Idaho Falls (over 90 attendees), City hosted and co-sponsored with Pocatello and IHFA.
Point in Time Count	2015 - 22 Unsheltered and 182 sheltered
Administration	2016-20 CDBG 5 YR Consolidated Plan, Area Of Impact (AOI) to Fair Housing, AAP2016, and onsite HUD Monitor

Slide 4: Previous CDBG funding years spent in 2015 (FY 2013 and 2014)

- 2014 Veterans Memorial Bldg. - Ramp and restroom renovation project completed
- 2013 and 2014 Habitat 4 Humanity Idaho Falls - (1) Property acquired for single family LMI homeownership
- 2013 Targhee Regional Public Transportation Authority (TRPTA) - Redirected 2013 TRPTA funds - Facility improvements for Blue TRPTA bus route at N Saturn/Mountain View. Continued curb/gutter and sidewalk. Pedestrian crosswalk with ADA curb cuts added. Bus bench, concrete pad, and TRPTA sign installed.
- 2014 IFDDC- (1) Façade Project -Treasurer's - Sign project

Slide 5: Current Balances 05/10/2016

Year	Award	Balance	% remaining
FY2004	\$ 491,000	\$0	0%
FY2005	\$ 465,543	\$0	0%
FY2006	\$ 418,940	\$0	0%
FY2007	\$ 417,257	\$0	0%
FY2008	\$ 402,199	\$0	0%
FY2009	\$ 407,064	\$0	0%
CDBG-R	\$ 109,234	\$0	0%
FY2010	\$ 441,751	\$0	0%
FY2011	\$ 369,546	\$0	0%
FY2012	\$ 314,082	\$0	0%
FY2013	\$ 361,453	\$0	0%
FY2014	\$ 342,373	\$16,734.25	~4.8%
FY2015	\$ 342,928	\$58,895.31	~17.12%
Totals	\$ 4,883,370	\$75,629.56	~21.92%

FY2016 CDBG allocation Pending Federal Budget Approval

Ms. Farris presented several before and after-project pictures. She indicated any public comments will be included in the report sent to HUD.

MAY 12, 2016

Mayor Pro Tem Hally requested any public comments. No one appeared. Mayor Pro Tem Hally commented he would like to see the dirt roads in the Highland area be paved and is hopeful some funding from the CDBG could assist with this project.

Mayor Pro Tem Hally closed the public hearing. At this time no action is required on behalf of the Councilmembers.

Subject: Planned Unit Development and Reasoned Statement of Relevant Criteria and Standards, Lot 2, Block 1, Freeman Medical Plaza and Lot 1, Block 18, St. Clair Estates, Division No. 13

For your consideration is the application for a Planned Unit Development and Reasoned Statement of Relevant Criteria and Standards, Lot 2, Block 1, Freeman Medical Plaza and Lot 1, Block 18, St. Clair Estates, Division No. 13. The Planning and Zoning Commission considered this application at its April 5, 2016, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Councilmember Dingman opened the public hearing. Mayor Pro Tem Hally requested all staff reports and presentations be entered into the record.

Councilmember Dingman stated the applicants have requested a reduced setback of 15 feet adjacent to the street, which would be consistent with other locations in the area.

Community Development Services Director Brad Cramer appeared. He stated the site plan for this PUD had been previously approved, however the applicant acquired additional property which is now being reconsidered per the ordinance requirements.

Slide 1:	Zoning map of location
Slide 2:	Aerial photo of parcel under consideration
Slide 3:	Additional aerial photo of site
Slide 4:	Site Plan

Director Cramer restated the reduced setback has been requested for three (3) of the four (4) sides of the parcel and staff has no concerns with the request. He stated the applicant has requested to reduce the parking by three (3) stalls, the requirement is five (5) stalls per 1000 square feet of building. Due to time constraint, staff did not have an opportunity to evaluate the parking stall request. Director Cramer indicated the ordinance would allow reduced parking but the ordinance states any modifications need to be listed in the application to allow review from the Planning and Zoning Commission as well as the Councilmembers. The Planning and Zoning Commission has not reviewed the reduced parking request.

Slide 5:	Photo looking northwest across site
Slide 6:	Photo looking northeast across site
Slide 7:	Photo looking east at newly constructed facilities
Slide 8:	Rendering of proposed facility – front view
Slide 9:	Rendering of proposed facility – side view

Director Cramer stated the Planning and Zoning Commission as well as staff recommends approval of the PUD with the exception of the parking reduction, which there is no recommendation at this time due to lack of information for the parking reduction request. He expressed concern with the recent modification request. Mr. Fife recommended to not consider the late request for parking modification.

Mayor Pro Tem Hally requested any public comment.

MAY 12, 2016

Blake Jolley, Idaho Falls, appeared. Mr. Jolley stated the reduced parking modification of three (3) stalls is to allow the main entrance to be more aesthetically pleasing. He stated if the modification is not approved by Council, the project will continue to proceed as originally intended.

Mayor Pro Tem Hally closed the public hearing.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Planned Unit Development for Lot 2, Block 1, Freeman Medical Plaza and Lot 1, Block 18, St. Clair Estates, Division No. 13, as provided in the application. Roll call as follows: Aye – Councilmembers Hally, Smith, Dingman, Ehardt, Marohn, Radford. Nay – none. Motion carried.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Reasoned Statement of Relevant Criteria and Standards for the Planned Unit Development and the Reasoned Statement of Relevant Criteria and Standards for Lot 2, Block 1, Freeman Medical Plaza and Lot 1, Block 18, St. Clair Estates, Division No. 13, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smith, Hally, Radford, Dingman, Ehardt, Marohn. Nay – none. Motion carried.

There being no further business, it was moved by Councilmember Radford, seconded by Councilmember Marohn, to adjourn the meeting at 8:27 p.m. which motion passed following a unanimous vote.

CITY CLERK

MAYOR